

**MINUTES OF REGULAR MEETING
BASTROP CITY COUNCIL
September 10, 2013 at 6:15 pm**

The Bastrop City Council held a regular meeting on Tuesday, September 10, 2013 at 6:15 pm at the Bastrop City Hall Council Chambers located at 1311 Chestnut Street in Bastrop, Texas.

1. CALL TO ORDER

Mayor Terry Orr called the meeting to order at 6:15 p.m. A full quorum was present: Mayor Pro-Tem Joe Beal and Council Members Kay Garcia McAnally, Dock Jackson, Willie De La Rosa were in attendance. Absent Council Member was Ken Kesselus.

2. PLEDGE OF ALLEGEANCE AND INVOCATION

Council Member Willie DeLaRosa led the Pledge of Allegiance. Interim Police Chief Matt Wagner introduced Reverend Jimmy Cottle who led the invocation.

3. PRESENTATIONS

A. Character Education Presentation by Bastrop Student – Honesty

Mayor Terry Orr welcomed Sabrina Locke, a junior at Bastrop High School, who gave an oral presentation on the meaning of "Honesty". Sabrina was accompanied by her parents John and Jennie Locke. She enjoys reading, writing, theatre, drawing and photography. Mayor Terry Orr also welcomed Sabrina's teacher who was in attendance.

4. PROCLAMATIONS

There were no Proclamations.

5. ANNOUNCEMENTS

Mayor Terry Orr welcomed the new City Secretary, Elizabeth Lopez to her first Council Meeting.

Council Member Dock Jackson was saddened to inform every one of Reverend Louis Ray White's passing on September 9, 2013 at the age of 76. The wake was held on Friday, September 13 from 6:00 – 8:00 pm at the Mt. Moriah Missionary Baptist Church, 701 North Main St., in Elgin, Texas with the Funeral Services on Saturday, September 14th at 11:00 am at the Bastrop Convention Center located at 1408 Chestnut St., Bastrop, Texas. Council Member Dock Jackson expressed his condolences to his family and stated that the Reverend will be greatly missed in our community.

Mayor Terry Orr also called to everyone's attention to item # D.2 under the Consent Agenda with regard to Certificate of Obligations. He stated he had discussed this item with the City's financial advisor, Dan Wegmiller who stated that "things were good."

CITY MANAGER'S INFORMATIONAL UPDATE REPORT: ITEMS FOR UPDATE, DISCUSSION AND POSSIBLE ACTION:

A. Meetings and Events Attended:

1. The monthly meeting of the Planning and Zoning Commission on August 29, 2013.
2. The Hunter's Crossing Local Government Corporation Meeting on September 3, 2013.
3. The Special Council Budget Workshop on September 3, 2013.
4. The monthly meeting of the Parks Board on September 5, 2013.

B. Update on City Projects and Issues:

1. Update on the Hunter's Crossing Subdivision – Public Improvement District.
2. Water Usage Report for the period of August 26, 2013 through September 8, 2013
3. Update on the Short and Long Term Water Supply Projects.
4. Issuance of Certificate of Obligations.
5. Update on the Top 10 Strategic Priorities as Established by the City Council for 2013-2016.
6. Update by the residents of Riverside Grove subdivision to reduce the speed in Riverside Grove from 30 mph down to 25 mph.
7. Current Drought in Central Texas.
8. Council Utility Meeting on September 17, 2013

C. Update on City Business:

1. Convention Center Activities
2. Main Street Program
3. Commercial/Residential Construction Projects in the City
4. YMCA Activities

D. Department and Board Reports

- E. Inviting input from Council related to issues for possible inclusion on future agenda's related to issues for possible inclusion on future agendas, related to issues such as (but not limited to) municipal projects, personnel, public property, development and other City/public business.**

City Manager Mike Talbot pointed out two items on his City Manager's report in regard to the following items:

- B-6 City Manager Talbot gave an update on the request by the residents of Riverside Grove subdivision to reduce the speed in Riverside Grove from 30 mph down to 25 mph. City Manager Talbot stated he would do additional research and provide the results to the Council for their consideration and recommendation.

City Manager introduced Mr. Ed Dickens, President of the Riverside Grove HOA, addressed the Council in support of reducing the speed limits in Riverside Grove to 25 mph. He expressed the positive impacts of the reduced speed limit and applauded the City staff for putting up the 25 mph signs and covering up the 30 mph signs.

Mayor Terry Orr invited additional public comments at which time one other resident of Riverside Grove stated that other factors have to been taken into consideration such as the number accidents and speeding tickets that have occurred within the past year.

- B- 9 City Manager extended a courtesy reminder of the Council's Utility Meeting on Tuesday, September 17, 2013.

A. CONSENT AGENDA

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member(s) so request.

- A.1 Approval of meeting minutes of August 27, 2013 of the Regular Council Meeting and August 20, 2013 Special Workshop Meeting. (*T. Chavez*)
- A.2 Approval of the Special Event Permit Application submitted by Health Occupation Students of America (HOSA) in partnership with Advanced Home Health Services to host "Medical Olympics" on Saturday, October 19, 2013, in Fisherman's Park, along the Riverwalk, and on city property abutting the Brewhouse. (*T. Job*)
- A.3 Approval of the Special Event Permit Application submitted by BHS Student Council to host "BHS Football Homecoming Parade" on Thursday, October 24, 2013 in downtown Bastrop. (*T. Job*)
- A.4 Approval of the Special Event Permit Application submitted by the Downtown Business Alliance to host "Christmas Parade & Salebrations" on Saturday, December 14, 2013 in downtown Bastrop. (*T. Job*)
- A.5 Approval of the Final Plat for Hunters Crossing, Section 3 E (17 residential lots) located west of State Highway 304 and South of Hunters Point Drive within the City limits of Bastrop, Texas. (*Y. Pritchard*)
- A.6 Approval of the Final Plat for Hunters Crossing, Section 5 B (55 residential lots) located west of State Highway 304 and north of Hunters Point Drive with the City limits of Bastrop, Texas. (*Y. Pritchard*)
- A.7 Approval of Bastrop Marketing Corporation's request for reimbursement of expenses. (*K. Stovall*)
- A.8 Approval of Special Workshop Meeting minutes of September 3, 2013. (*E. Lopez*)

Council Member Willie DeLaRosa made a motion to approve all items listed under the Consent Agenda. Seconded by Council Member Kay Garcia McAnally and motion carried unanimously.

B. PUBLIC HEARINGS AND ORDINANCES AND OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION:

B.1 CONDUCT A PUBLIC HEARING: The City Council will conduct a “Public Hearing” on the Proposed Budget for the City of Bastrop for Fiscal Year 2014. (Mike Talbot)

City Manager Mike Talbot gave an insightful PowerPoint presentation on the proposed Fiscal Year 2014 budget. He informed the Council and guests that the proposed FY 2014 budget is “On Course” and “focused on the variety of community issues: planning, initiatives, economic development opportunities, infrastructure projects and review the efforts that are currently underway or are planned for this fiscal year.” In addition, he shared the City’s goals and objects which are the guiding principles in the development of the City’s proposed Budget for Fiscal Year 2013-2014.

He gave a brief recap of the City Council’s Strategic Priorities for 2013-2016:

1. Development of a Short-Term and Long-Term Water Plan Strategy for the City of Bastrop.
2. Examine the Feasibility of Moving Toward Form-Based Codes for Zoning.
3. Review Hotel Occupancy Tax (Receipts & Expenditures) Mid-Year report to be provided by the City Manager.
4. Consider General Fund, Tax Rate, & Future Bond Indebtedness for Infrastructure Improvements.
5. Initiate Benching, including salaries, staffing, career ladders, types & level of services, financial metrics, succession planning, and tax rate indebtedness.
6. Create clearly communicated reasonable attainable list of Council priorities for the City Manager.
7. Review Convention Center Operations.
8. Identify projects that the staff can undertake to streamline the items taken before Council.
9. Create a cohesive citywide “Equipment Replacement Program” for the City.
10. Create a unified vision for the City of Bastrop.

City Manager Mike Talbot also expressed our commitment to the partnership between the City and the Bastrop Economic Development Corporation with regard to the development and improvements in the Bastrop Business Park.

City Manager Mike Talbot stated that the “budget had been developed with the goal of providing quality public services and to continually increase the quality of life engendered by the citizens of Bastrop.”

City Manager Mike Talbot advised every one of the Public Notice requirements for the proposed Fiscal Year Budget 2014, two publications for public hearings where which taxpayers have an opportunity to express their views on the proposed tax rate.

In addition, the City Manager reviewed the following items:

- Ad Valorem Taxes, the Summary of Revenues, Expenditures and Changes to the Fund Balance for Fiscal Year 2013-2014 budget. He noted that the City's Ending Fund balance was significantly higher than the required 25%.
- The Proposed Revenues for all Funds by Category and Type
- The Expenditures for all Funds by Function, and Type.
- The Departmental Staffing Summary
- The Fiscal Year 2013-2014 Program Requests
- Bastrop Economic Development Corporation Fund, Budget Comparison, Noteworthy Achievements in 2013 and the 2013/2014 Action Plan.

Council Member Ken Kesselus expressed his appreciation to staff for their efforts with the preparation of the Budget presentation.

Council Member Ken Kesselus asked a question with regard to the Form Based Code Processes and City Manager responded a brief update and offered to hold a Special Meeting if the Council desired. Mayor Terry Orr and Council Member McAnally expressed their support in holding a special meeting to discuss the Form Based Code.

Mayor Pro-Tem Joe Beal discussed the items reflected on the FY 2013-2014 Budget "Summary of Revenues, Expenditures, and Changes to the Fund Balance" and acknowledge the need to get a message to the public that "by being conservative and saving money, in addition to the rate increase will allow the City to spend funds on needed Water and Waste Water improvements."

Council Member Willie De La Rosa wanted to acknowledge the partnership between the City and Bastrop Economic Development Corporation and their participation with the City's Projects.

Mayor Terry Orr took a moment to acknowledge that the City was seeing results from the Council and the City's Management and added that he was "very" pleased to present this budget.

With no other comments, Mayor Terry Orr closed the Public Hearing at 7:12 pm.

- B.2 Consideration, discussion and possible action on approval of the FIRST READING of an Ordinance of the City of Bastrop, Texas, adopting a budget and appropriating resources for Fiscal Year 2013-2014; beginning October 1, 2013 ending September 30, 2014; in accordance with existing statutory requirements; repealing all conflicting ordinances' containing a severability clause; and providing for an effective date; with a second reading and final adoption of the City of Bastrop Budget for Fiscal Year 2013-2014 to be held on September 24, 2013. *(Mike Talbot)*

Mayor read the caption twice, as he inadvertently did not read the first time.

After a brief discussion, Council Member Joe Beal made the motion to approve the First Reading of an Ordinance of the City of Bastrop, Texas, adopting a budget and appropriating resources for Fiscal Year 2013-2014; beginning October 1, 2013

ending September 30, 2014. Seconded by Council Member Kay McAnally and motion was carried unanimously.

- B.3 CONDUCT A PUBLIC HEARING: The City Council will conduct the SECOND “Public Hearing” on the Proposed Property Tax Rate for the City of Bastrop for Fiscal Year 2014. (*Mike Talbot*)

Mayor Terry Orr read the above caption in full.

City Manager gave an overview on the Property Tax Rate: History/ Distribution of the General Fund and the Debt Service Fund.

Public comment was made by Mr. Bill Peterson, who addressed concern about the street maintenance at which time City Manager Mike Talbot explained that this is one of the projects that will be addressed in the proposed Fiscal Year 2014 budget.

Mayor Terry closed the “Second Public Hearing” at 7:20 pm.

- B.4 Consideration, discussion and possible action on approval of the FIRST READING of an Ordinance fixing the tax rate and levy for the City of Bastrop, Texas for the purpose of paying the current expenses of the City for the Fiscal Year ending September 30, 2014, and for the future purpose of creating a sinking fund to retire the principle and interest of the bond indebtedness of the City’ providing for a lien on all real and personal property to secure payment of taxes due thereon; containing a severability clause; repealing all ordinances and parts thereof in conflict wherewith; and providing for an effective date. (*Mike Talbot*)

City Manager Mike Talbot restated this was the First Reading of an Ordinance and gave a brief overview of the Property Tax Calculations (Ad Valorem Taxes) for FY 2013 Tax Year 2013.

Council Member Kay Garcia McAnally motioned to accept the First Reading of an Ordinance fixing the tax rate and levy for the City of Bastrop, Texas for the purpose of paying the current expenses of the City for the Fiscal Year ending September 30, 2014. Seconded by Council Member Dock Jackson and the motion was carried unanimously.

- B.5 Citizen Comments

There were no Citizen Comments.

Council Member Dock Jackson thanked the public works department for the signage placement along Pine Street, which has helped residents and guests find their way to the Court House.

C. OLD BUSINESS - NONE

D. NEW BUSINESS

- D.1 Consideration, discussion and possible action on approval of a petition for a Variance allowing a private water well to be drilled within the city limits of the City of Bastrop located at 1207 Church Street, Bastrop, Texas. (*T. Job*)

Mayor Terry Orr read the above caption in full.

Public Works Director Trey Job gave a brief overview and requested approval of the variance.

Mayor Terry Orr stepped out of the meeting at 7:25 pm and returned at 7:27 pm.

Council Member Kay McAnally inquired on the purpose of having a private water well. At which time Mr. Reid Sharp made a comment noting it would be used for irrigation purposes.

After a brief discussion, Council Member Willie De La Rosa made the motion to approve to approve the petition for a variance allowing a private water well to be drilled in the City of Bastrop. Seconded by Council Member Ken Kesselus and motion passed unanimously.

- D.2 Consideration and action with respect to “A Resolution by the City Council of the City of Bastrop, Texas Authorizing proceeding with the Issuance of City of Bastrop, Texas Certificate of Obligation; and other related matters. (*M. Talbot*)

Mayor Terry Orr read the above caption in full.

City Manager Mike Talbot introduced Bond Agent/Financial Advisor Dan Wegmiller, who gave additional insight on the Texas Certificates of Obligations.

City Manager Mike Talbot reflected the Council approved projects in the amount of \$10,7500,000.00, however the Resolution called for 11 million dollars to help cover the issuance of the bonds.

City Manager Mike Talbot thanked the Bond Agents Dan Wegmiller and Bond Attorney Bart Fowler. Council Member Dock Jackson thanked City Manager Mike Talbot and the Finance Team for doing a great job.

Council Members held a discussion at which time, Council Member Dock Jackson made a motion to approve the Resolution to authorize the City Manager to proceed with the Issuance of Texas Certificate of Obligation. Seconded by Council Member Willie DeLaRosa and motion carried unanimously.

- D.3 Consideration, discussion and possible action on the first reading of a proposed ordinance of the City Council of the City of Bastrop, amending section 12.05.006 titled scheduled v: school zones to amend and correct school zone locations, in article 2.04; “traffic schedules”; chapter 12 “traffic vehicles” in the code of ordinances of the city of Bastrop; directing that signs be erected to reflect this change; establishing fines and penalties for violations; providing for enforcement; providing a severability clause; and providing an effective date. (*T. Job*)

Mayor Terry Orr read the above caption in full.

Public Works Director Trey Job recommended approval of the above item and requested the Council's consideration and approval.

Council Member Ken Kesselus made a motion to accept the first reading of a proposed ordinance of the City Council of the City of Bastrop, amending section 12.05.006 titled scheduled v: school zones to amend and correct school zone locations, in article 2.04; "traffic schedules"; chapter 12 "traffic vehicles" in the code of ordinances of the city of Bastrop; directing that signs be erected to reflect this change; establishing fines and penalties for violations; providing for enforcement; providing a severability clause; and providing an effective date.

Seconded by Kay Garcia McAnally and motion passed unanimously.

E. EXECUTIVE SESSION

E.1 The Bastrop City Council will meet in a closed/executive session pursuant to the Texas Government Code, Chapter 551, *et seq*, to discuss the following:

1. SECTION 551.071 (1) (A) and SECTION 551.071 (2) – Consultations with Attorney: (1) threatened, pending and/or contemplated litigation or claims, and/or (2) matters upon which the Attorney has a duty and/or responsibility to report to the governmental body, concerning same, and/or any other matters posted on the agenda.
2. SECTION 551.072 – Deliberation regarding real property. Regarding the purchase, exchange, lease, disposition, or value of real property.
3. SECTION 551.086 – Certain Power Utilities: Competitive Matters.

At 7:50 pm, Mayor Orr convened the Bastrop City Council into closed/executive session pursuant to the Texas Government Code, Chapter 551 to discuss the following:

E.2 The Bastrop City Council will reconvene into open session to discuss, consider and/or take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above and/or related items.

At 9:21 pm, Mayor Orr reconvened the Bastrop City Council into regular session to discuss, consider and/or take action(s) necessary related to the Executive Session noted herein.

1. SECTION 551.071 (1) (A) and SECTION 551.071 (2) – Consultations with Attorney: (1) threatened, pending and/or contemplated litigation or claims, and/or (2) matters upon which the Attorney has a duty and/or responsibility to report to the governmental body, concerning same, and/or any other matters posted on the agenda.
2. SECTION 551.072 – Deliberation regarding real property. Regarding the purchase, exchange, lease, disposition, or value of real property.

No action was taken.

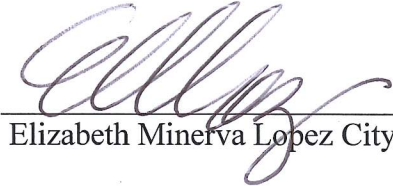
F. ADJOURN

At 9:23 pm, Council Member Kay Garcia McAnally made the motion to adjourn the meeting. Seconded by Council Member Ken Kesselus and motion was carried unanimously.

APPROVED:

ATTEST:



Terry Orr, Mayor

Elizabeth Minerva Lopez City Secretary